



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

November 15, 2010

In reply refer to: DK-7

Albert F. Schlotfeldt  
Attorney at Law  
Duggan Schlotfeldt & Welch, PLLC  
900 Washington Street, Suite 1020  
Vancouver, WA 98666-0570

### **RE: FOIA BPA-2010-02021-F**

Dear Mr. Schlotfeldt:

This is Bonneville Power Administration's (BPA) final response to your Freedom of Information Act (FOIA) request on behalf of Service Auto Parts, Inc. You requested a copy of the proposal from Pacific Power Products in response to BPA RFO 20100517. BPA published this RFO on or about June 25, 2010.

Your request is denied. Exemption 3 of FOIA requires the withholding of information that is prohibited from disclosure by another Federal statute. 5 U.S.C. § 552(b)(3) 41 U.S.C. §253b(m) prohibits an agency from disclosing under FOIA a proposal that is in the possession or control of the Agency, unless that proposal is set forth or incorporated by reference in a contract between the Agency and the contractor. That did not occur here. Therefore, the proposal by Pacific Power Products is withheld in its entirety.

If you are dissatisfied with this determination, you may make an appeal within thirty (30) days of receipt of this letter to the Director of Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585. Both the envelope and the letter must be clearly marked "Freedom of Information Act Appeal."

Please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at (503) 230-7305 with any questions regarding this letter.

Sincerely,

*/s/ Christina J. Munro*

Christina J. Munro  
FOIA/Privacy Act Officer